

**Senate Committee on Foreign Relations
Subcommittee on African Affairs
"Exploring the U.S. Role in Consolidating Peace and Security
In the Great Lakes Region"
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**Testimony by
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Senator Feingold and Members of the Committee:

Thank you for this opportunity to testify. For the purposes of this hearing, I would like to focus my remarks on the Democratic Republic of the Congo. The DRC demands our urgent and sustained attention because it is poised to make progress toward ending a long-running crisis—or fall victim to its recurrence.

There are concrete steps that can and must be taken today. As militia forces are pressed to disarm in the east, we must put in place the programs needed to support and sustain disarmament and ensure that civilians are protected. In the wake of elections, we must redouble our support for security sector reform. To consolidate newfound peace and security, we must increase our investments in the groundbreaking program led by the Wilson Center's Howard Wolpe and designed to overcome mistrust and rebuild the cohesion of the state by training officials in collaborative decision-making—in communications, negotiations, group-problem-solving, and the analysis of conflict. There are countless other steps we must take, many of them outlined in "Averting the Nightmare Scenario in Eastern Congo," a recent ENOUGH Project report that I am submitting for the record and for the Subcommittee's consideration.

But while immediate action is needed to consolidate progress in the DRC, what may be most pressing is our need to start responding structurally and with an eye to the long term. I say this because with perhaps only a few changes to detail, the recommendations that I offer today are little different than those I would have provided 10 years ago. And this, Mr. Chairman, gets to the heart of the problem.

Ten years ago I was living in Africa, then as Senior Advisor to the Administrator and Chief of Staff of USAID, just prior to assuming the position of Senior Director for African Affairs at the National Security Council. The issue

of the day in the DRC was militia violence in the East, where we faced a crisis borne of the spillover of the Rwandan genocide into a region beset by weak governance, poverty, local conflict, the availability of arms and the presence of valuable natural resources. Today, though some of the names have changed and many battles have been waged and ended, we are facing what are fundamentally the same challenges.

The successful legislation introduced by Sens. Obama (D-IL) and Brownback (R-KS) represents an important step in the right direction, as it calls for a comprehensive bilateral strategy coupled with increased multilateral engagement. I believe we must build on this foundation and do much more.

Let me be clear—that we have not seen a greater return on our investments of diplomatic and development capital is in part due to circumstances beyond our control. But it is also, in large measure, the result of our own limitations.

Let us pretend for a moment that we had in hand the strategies, tools, and resources necessary to have a real and lasting impact on developments in the Democratic Republic of the Congo. Let us pretend for a moment that we had concluded that our interests in Africa required sweeping reform and the introduction of new and innovative policies and programs. Let us pretend for a moment that our policy inputs matched our desired policy outcomes.

If the scenario I describe was real, I would testify today that our 10-year plan for U.S. engagement with the DRC had been approved by the interagency in an exercise led by the joint NSC/NEC Directorate for International Development. I would tell you that our regional diplomatic cell in Nairobi had surged to ensure that we had ample diplomatic coverage in eastern Congo and could align our diplomatic efforts in DRC with those throughout the Great Lakes Region.

I would report that with its recently reconstituted professional staff, our reformed foreign assistance agency had launched programs designed, on site, to address DRC's vulnerabilities and build its capacities, focusing in particular on security sector reform, institution-building, the creation of jobs and small-scale enterprises able to deliver an urgently-needed "peace dividend," and the development of a low-cost renewable energy sector. I would add that we were coordinating our efforts with those of other donors in order to ensure that all of the development bases were covered. I would testify that now that our internal policies had been harmonized, DRC was on the path to accessing expanded AGOA benefits, domestic trade support, and a new post-crisis debt relief facility.

I would tell you that our efforts to collaborate with private philanthropy and leverage the engagement of the private sector were paying off—that our new “Post-Crisis Jobs Creation Program” had just launched in the DRC, and that the Europeans had responded positively to our invitation to participate. I would tell you that the New Mines Program, built on Liberia’s successful effort to negotiate new, safer, and more equitable terms for the extractive industries, was off the ground in Kinshasa.

And I would testify that our decision to lead an international effort to modernize and improve the agility of the United Nations was also bearing fruit, and that we and other Security Council members had agreed to contingency plans for ensuring that a fully funded MONUC could provide for civilian protection in the east, where militia forces were resisting pressure to disarm.

With some great relief, I would tell you that incorporating tools to prevent and respond to rape into the standard operating procedures of OFDA’s DART teams was a good idea—that women had been registered, protection officers had been put in place, rapes were being reported with greater regularity, and treatment and counseling were available in 90 percent of affected communities. I would also report that our emphasis on accountability for crimes against humanity was paying off—and that we and our partners had stepped up prosecutions against those employing rape as a tool of war.

I would then report that our foreign aid agency, the State and Defense Departments, our intelligence agencies, and the Department of Homeland Security were working together to conduct a transnational threat assessment for the DRC, designed to identify its vulnerability to the ebola virus and pandemic flu, international crime syndicates, money laundering, and terrorism. I would tell you that our aim was to launch a capacity-building program with our international partners by December, and that our first priority was working with the government to secure fully the DRC’s supplies of uranium.

And finally, of course, I would thank you for the full funding Congress had provided.

I only wish that such testimony were possible. What is possible is to tell you that we are getting some things right: we supported elections and are engaged in support of further democratization; our aid dollars are up; we have a Senior Advisor for Conflict Resolution; the President of the DRC will meet President Bush next week.

But let us be frank. At best, we are chipping away at the edges of success; at worst, we are creating

expectations—in the executive and legislative branches of our own government, among our public, and, most importantly, in the region—that we cannot meet. Let me point to four key reasons why this is the case, and offer up as many potential solutions.

First, we lack a strategy or the tools for building the capacity of weak and failing states. The DRC is a weak state, and, arguably, a failing one. Whatever its intentions may be, the government cannot protect its people or its borders, is unable to provide basic services, and, despite the gains represented by recent elections, the state does not yet command the full confidence of the citizenry. The government's institutions are weak and impaired by decades of misrule, and civil society institutions are young and few.

State weakness is a function of capacity and/or intent. During the tenure of Mobutu Sese Seko, the balance hung heavily on the side of intent; today, with the regional war brought to an end and national elections concluded, the balance falls more squarely, though not entirely, on the side of capacity. Today, the DRC lacks the physical, social, human, institutional, and financial infrastructure needed to consolidate peace or pursue a democratic path that delivers to its citizenry.

We know—from Afghanistan and now from Iraq—that weak states readily spawn conflict, undermine regional stability and threaten our own security for the simple reason that they offer vast ungoverned spaces to any and all who would exploit them. We know that weak states are unable to participate effectively in the world economy, and thus risk engaging in globalization as beggars and bystanders rather than as full participants. We know that weak states yield a disproportionate level of human suffering. Yet more than two years after President Bush cited the threat posed by weak and failing states in his National Security Strategy, the United States has neither a strategy nor the tools to address this challenge.

What is needed is agreement—between the executive and legislative branches of government and among Democrats and Republicans—on the contours of a U.S. strategy for weak and failing states. That strategy requires that we attain new capabilities across all of our foreign affairs agencies, fix our foreign aid system, and, even more challenging, that we adopt a long-term approach. War-torn societies are not healed in 12 months; weak and failing states cannot be rendered capable in two years. Transforming countries that, like the DRC, have suffered decades of misrule, political dysfunction, economic distortion, and unchecked violence requires that we formulate and build consensus around

policies and strategies that extend beyond our one-year budget sequence and four-year presidential election cycle.

Second, our foreign aid system is broken. The legislation mandating our foreign aid program was written almost 50 years ago, and is littered with competing goals, objectives, and directives. Our professional development corps has been eroded and replaced by a cadre of functionaries focused on managing outside contractors. We have witnessed the steady proliferation of aid programs, accounts, instruments and initiatives across multiple agencies and departments but lack a meaningful mechanism for coordination within government. The latest round of reform through the "F Process" has compounded and not solved these problems. Meanwhile, the vacuum created by the inability of the State Department or a weakened USAID to develop new and robust development capabilities is being filled by the Department of Defense, which may have good intentions and an accurate diagnosis of the problem, but should not, in my view, be the frontal face of America's support for development.

If we want to serve our national interests and do right by the Congos of this world; if we want to tackle the enormous challenges posed by weak and failing states; if we want to promote prosperity and consolidate peace and security; then we need a foreign aid system that is both nimble and accountable. Having worked for USAID and served as a member of the HELP Commission, it is my view that reform on the margins is inadequate, and that what we require is a complete overhaul.

This means a new Foreign Assistance Act, one that reflects the modern era in which we live and which provides the executive branch with flexibility and the legislative branch with appropriate oversight. Most importantly, it means a new structural alignment within government, one that elevates development from its current status as the poor stepchild of foreign policy to a top priority.

Consider, again, the Democratic Republic of the Congo. It lacks the infrastructure required to unite its population behind a common economic agenda. It has little or no capacity to provide the social services needed to sustain families and communities. It cannot presently offer the jobs needed to produce the tangible dividends that can counter the appeal of joining armed militias. It lacks the institutions that can provide transparent, peaceful and fair means for resolving disputes, preventing conflict or promoting justice.

These gaping holes in the DRC's capacity to function as a capable, democratic, and peaceful state can only be filled

by development initiatives—and the success of peace negotiations, disarmament, the elections, and MONUC depend on our ability to fill these gaps. Development assistance is, in other words, necessary for our success. I believe that we must therefore reorganize our development policies and programs to reflect this priority status; to develop and sustain a core of development professionals; to ensure that a senior official has both the responsibility and the authority to lead within the cabinet; to coordinate and harmonize our myriad development instruments; and to ensure that we are able to promote and invest in long-term economic strategies that span the lifetimes of multiple administrations.

My personal preference is for an independent agency modeled on the UK's Department for International Development, but there are other models worthy of investigation and consideration. The bottom line is that we must, if we believe that development is critical to our efforts to consolidate peace and security in the Great Lakes or any other region of the world, arm ourselves with a system that works.

Third, our diplomatic investments are insufficient to the task at hand. Despite the stated intentions of the Department of State's "Transformational Diplomacy" plan, Africa remains underserved—the number of diplomatic personnel serving on the continent has increased by only 10 since last year, and our diplomatic missions in Africa generally have fewer and less experienced personnel than do their counterparts in other more developed parts of the world. This problem has been and will continue to be exacerbated by the need for skilled diplomatic personnel in Iraq.

The net result is that we lack the hands-on capacity to work the issues. We do not, given our limited diplomatic coverage, have the ability to conduct the intensive diplomacy that is required to achieve durable peace agreements, to forge regional linkages, to coordinate with our partners and allies, or to serve the full range of our national interests.

Two things are needed. First, we need to increase the number of qualified diplomats assigned to Africa. Second, we need to establish a surge capacity that allows us to augment our diplomatic capacity in times of crisis or opportunity, to ensure a constant presence and full-time engagement in peace efforts, and to support the Special Envoys that have been and will continue to be assigned to the continent. Surge capacity could be supported by regional cells staffed by professional Foreign Service officers; it cannot, in my

view, be sustained by visits from Washington officials or the occasional high-level meeting.

Fourth and finally, we are failing to give meaning to the "responsibility to protect." As members of the Subcommittee are aware, the doctrine of the "responsibility to protect" posits that when a government is unable or unwilling to protect its citizens, the international community has a responsibility to act. It is a doctrine that has been endorsed by a majority of members of the U.N., but is a doctrine without either teeth or practical meaning.

The DRC today is home to the worst instance of sexual violence on earth. Building on a pattern that was established during the Rwandan genocide, rape has reached epidemic proportions—literally tens of thousands of women, girls and even young boys have been raped, often by more than one man. Most of them are raped and then tortured with sticks; many of them are violated in front of their families.

As one U.N. official has said, rape in the eastern Congo is not about destroying the enemy—it is about destroying women. Rape is more than a crime against an individual; it is a violation of the family, of communities, of societies, and of our common humanity. It degrades and destroys the backbone of the community, weakening its caretakers and most productive members while deepening the mistrust that fuels ongoing conflict.

Rape is on par with every other act of violence that we have seen in the Great Lakes Region over the last 15 years, but it has warranted neither the attention nor the resources that other crimes have engendered. This is both morally wrong and practically foolish, for unless and until we act on the belief that the mass rape we are seeing in eastern Congo constitutes a crime against all of humanity, and not just individual women, we can have little hope that the cycle of impunity will be broken.

Solving this problem is complex and difficult, but the first steps we must take are clear and straightforward. The rape epidemic sweeping eastern Congo must be a priority: it should be a central focus of our humanitarian response and development efforts; it must be front and center in our diplomatic statements and initiatives; we need to raise and act upon it in the U.N. Security Council; we should factor it in to our plans for disarmament; and we must lead efforts to prosecute it as a crime against humanity.

Mr. Chairman, my critique may be pointed, but it is aimed neither at a political party or any particular administration. It is borne of my strong belief that both

parties, and the administrations of today and tomorrow, must enact sweeping policy and institutional changes if our aim is to consolidate peace and security in the Great Lakes Region or, indeed, anywhere in the developing world.

My recommendations may be bold, but after 30 years working on Africa, 20 of them spent on the ground, it is both easy and necessary to go to 30,000 feet. Our intentions may be good, and we have thankfully reached the point of consensus between our political parties that Africa is important to the United States. But our progress is not keeping pace with our challenges, and I believe that our ability to support the emergence of a majority of capable and democratic states united behind a common purpose depends on our ability to think bigger and act more boldly. We owe it to ourselves and to the people who look to us to lead.

Thank you.